

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

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FRED W. BARBER,  
an Individual

Plaintiff,

File No. 1:08-cv-12315-TLL-CEB

-vs-

HON. THOMAS L. LUDINGTON

JAMES TUSSEY, SCIENTIFIC RETAIL  
SYSTEMS, INC., Jointly and Severally

Defendants.

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SMITH BOVILL, P.C.  
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**ORDER OF DISMISSAL**

This matter having come before the Court upon stipulation of the parties and the Court hereby being fully advised, this matter shall be dismissed with prejudice and without costs to all parties. The Court shall retain jurisdiction only for the purposes of enforcing the Settlement Agreement and the additional agreements incorporated therein by the exhibits to the Settlement

Agreement.

IT IS HEREBY ORDERED that this case shall be dismissed with prejudice and without costs as to all parties. The Court shall retain jurisdiction only for the purposes of enforcing of the Settlement Agreement and the additional agreements incorporated therein by the exhibits to the Settlement Agreement.

s/Thomas L. Ludington  
THOMAS L. LUDINGTON  
United States District Judge

Dated: January 20, 2009

**PROOF OF SERVICE**

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on January 20, 2009.

s/Tracy A. Jacobs  
TRACY A. JACOBS